

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 PPT-01 SCA-01 EB-07 /020 W

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R 160300Z SEP 76

FM AMEMBASSY MUSCAT

TO SECSTATE WASHDC 2488

C O N F I D E N T I A L SECTION 1 OF 2 MUSCAT 1153

E.O. 11652: GDS

TAGS: CPAS ELAB MU

SUBJECT: OMANTEL DISPUTE OVER PASSPORTS

1. SUMMARY: THIS REPORTS A CONTENTIOUS ISSUE BETWEEN ABOUT TEN PRIVATE AMERICANS AND THEIR EMPLOYER WHICH ON THE SURFACE INVOLVES STORAGE OF PASSPORTS, BUT WHICH APPEARS TO REFLECT SOME BASIC PROBLEMS IN CONTRACT BETWEEN TELECONSULT (PRIVATE US FIRM) AND THE OMAN GOVERNMENT ENTITY RESPONSIBLE FOR TELEPHONE SERVICES. HOPEFULLY, PRESENT DISPUTE WILL NOT REACH A HEAD UNTIL ANTICIPATED EARLY VISIT OF TELECONSULT MANAGEMENT OFFICIAL. END SUMMARY.

2. A PESKY DISPUTE HAS ARISEN BETWEEN THE OMANGOV'S OMANTEL COMPANY, WHICH RUNS TELEPHONE AND RELATED SERVICES UNDER THE MINISTRY OF COMMUNICATIONS, AND SEVERAL AMERICAN TECHNICIANS WORKING FOR OMANTEL UNDER CONTRACT WITH THE TELECONSULT FIRM OF WASHINGTON, DC. THE DIFFICULTY CENTERS ON AN OMANTEL REQUEST OF ABOUT TWO WEEKS AGO THAT ALL EXPATRIATE EMPLOYEES SUBMIT THEIR PASSPORTS TO IT FOR SAFEKEEPING. THE REQUEST WAS APPARENTLY BASED ON A VARIETY OF MOTIVES, RANGING FROM A WISH TO STREAMLINE PROCESSING OF VISA RENEWALS, ETC., TO DESIRE TO CONTROL MOVEMENTS OF PERSONNEL. REQUEST WAS MADE AS COMPANY RULE, NOT AS VOLUNTARY PROGRAM.

3. ONE OF THE AMERICANS VOLUNTARILY COMPLIED WITH THE REQUEST, AFTER CHECKING THAT EMBASSY HAD NO OBJECTION. WE SAW NO REASON TO CONTRADICT HIS JUDGMENT THAT THIS WAS PROPER WAY TO SAFE-GUARD PASSPORTS. WE WERE AWARE OF OTHER INSTANCES OVER MANY YEARS WHERE COMPANIES IN MIDDLE EAST SUGGEST THAT EMPLOYEES

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KEEP PASSPORTS IN COMPANY SAFES. ALTHOUGH COMPLIANCE IS ALWAYS

VOLUNTARY IN CASES WE AWARE OF, AND THESE COMPANIES ARE NOT AGENCIES OF HOST GOVERNMENT, THE DIFFERENCES IN OUR VIEW DID NOT JUSTIFY STAND AGAINST VOLUNTARY COMPLIANCE WITH OMANTEL'S REQUEST.

4. HOWEVER, MOST OF AMERICAN GROUP (WHICH TOTALS ABOUT TEN) OBJECTED STRONGLY TO COMPANY'S REQUEST, BELIEVING OMANTEL WOULD NOT PROPERLY SAFEGUARD PASSPORTS. SOME CLAIMED PRIOR EXPERIENCE WITH OMANTEL IN KEEPING PASSPORTS AND SAID SAFEGUARDING HAD BEEN LAX AND VISA SERVICES SLOW. THESE AMERICANS HAVE ALSO CHECKED WITH EMBASSY, AND WE HAVE TOLD THEM IN EFFECT THAT THEIR JUDGMENT TO RETAIN PASSPORTS IS UNOBJECTIONABLE. WE ALSO URGED THESE AMERICANS AT ONE POINT TO ASK OMANTEL TO DISCUSS PROBLEM WITH US IF MATTER CAME TO A HEAD.

5. WE HAVE TRIED THROUGHOUT TO AVOID GETTING IN MIDDLE OF ARGUMENT OVER WHETHER OMANTEL IS SAFE REPOSITORY FOR PASSPORTS. HOWEVER, WE HAVE FOUND IT DIFFICULT TO AVOID MISINTERPRETATIONS, AS PARTIES EXPECT US TAKE STRONG STAND FOR OR AGAINST TURNING IN PASSPORTS FOR OMANTEL TO HOLD. OUR MAIN AIM HAS BEEN TO CONCILIATE THE DISPUTE, AND ONE INFORMAL DISCUSSION WITH OMANTEL'S MANAGING DIRECTOR (AN OMANI CITIZEN) HAS BEEN HELD TO THIS END. BOTH COMPANY AND MAJORITY OF AMERICANS HAVE NOT YET RELINCHED FROM HARD STANDS, ALTHOUGH ONE SIGN OF POSSIBLE RELAXATION IS ABSENCE OF ANY DEADLINE IN OMANTEL'S LATEST REITERATION OF REQUEST TO TURN IN PASSPORTS. OMISSION COULD BE DELIBERATE AND A SIGNAL OF INTENTION TO LET ISSUE DIE OUT.

6. OTHER RELEVANT FACTS:

(A) PRACTICE OF ASKING EXPATRIATES TO KEEP PASSPORTS IN COMPANY SAFES IS COMMON IN OMAN, PARTICULARLY FOR INDIANS AND PAKISTANIS THOUGH NOT RESTRICTED TO THEM, BUT IT IS BY NO MEANS UNIVERSAL. IN OTHER CASES INVOLVING AMERICAN PASSPORTS ABOUT WHICH WE ARE AWARE, PRACTICE IS EITHER IGNORED OR NOT PUSHED FOLLOWING AMERICAN EMPLOYEE OBJECTION. OMANTEL'S SEEMING REFUSAL TO RELENT IN THIS CASE LEADS US TO CONCLUDE THAT IT HARBORS DEEPER ANTAGONISM TOWARD TELECONSULT GROUP. LATTER'S EQUALY HARD ATTITUDE ALSO APPEARS TO REFLECT DISILLUSIONMENT AMONG THEM ABOUT THEIR JOBS. WE JUDGE THAT WHOLDE RELATION-
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SHIP BETWEEN TELECONSULT AND OMANTEL MAY SOON BECOME AN ISSUE. IN PAST THREE MONTHS OMANTEL HAS TERMINATED AT LEAST FOUR AMERICANS LONG BEFORE THEIR TERMS EXPIRED; WE THINK OMANTEL FINANCIAL PROBLEMS PARTIALLY ACCOUNT FOR THIS.

(B) TELECONSULT OF WASHINGTON, D.C. FULLY BACKS REFUSAL OF MAJORITY, AND IN RECENT TELEX TO THEM IT EXPLICITLY WITHHELD RESPONSIBILITY FOR "THOSE INDIVIDUALS WHO WISH TO COMPLY

VOLUNTARILY WITH THE REQUEST". A TELECONSULT DIRECTOR IS EXPECTED TO VISIT OMAN SOON TO LOOK INTO THIS AND OTHER MATTERS.

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C O N F I D E N T I A L SECTION 2 OF 2 MUSCAT 1153

(C) OUR SOUNDINGS OF OTHER EMBASSIES INDICATE SEVERAL WILL TAKE HARD STAND AGAINST THEIR NATIONALS' TURNING IN PASSPORTS TO ANY OMANI COMPANY SHOULD SUCH CASE ARISE. WE ARE AS YET UNAWARE OF EXTENT TO WHICH PROBLEM HAS COME UP WITH OTHER NATIONALS. BRITISH PERSONNEL WORKING FOR OMANTEL HAVE REPORTEDLY SPLIT OVER THAT COMPANY'S REQUEST, SOME COMPLYING VOLUNTARILY AND OTHERS NOT WISHING TO DO SO.

(D) MERITS OF ARGUMENT OVER OMANTEL'S ABILITY TO SAFEGUARD AND SERVICE PASSPORTS PARTICULARLY DIFFICULT TO ASSESS. ONE OF OUR PURPOSES HAS BEEN TO AVOID IMPLICATION THAT WE CONSIDER THIS OMANGOV COMPANY POOR CUSTODIAN. COMPANY SAYS IT WILL GIVE RECEIPT FOR EACH PASSPORT AND CLAIMS IT IS IN BEST POSITION TO KEEP VISAS UP TO DATE AND CAN DO SO WITHOUT FEES. WHILE THIS CLAIM MAY BE CORRECT, THE AMERICAN GROUP IS QUICK TO POINT OUT THAT THE COMPANY COULD PERFORM THE SAME SERVICES WITHOUT CONSTANT POSSESSION OF PASSPORTS. IT IS DIFFICULT TO AVOID THE CONCLUSION (WHICH TELECONSULT'S WASHINGTON MANAGEMENT SEEMS TO HAVE REACHED) THAT CONTROL OVER PERSONNEL MOVEMENTS IS A LARGE PART OF THE COMPANY'S MOTIVES.

(E) THORNY SIDE-ISSUE IS WHETHER AMERICANS AT OMANTEL ARE INDIVIDUAL EMPLOYEES OF THAT COMPANY OR GROUP SERVING UNDER COMPANY-TO-COMPANY CONTRACT. OMANTEL TAKES FORMER POSITION AND RESENTS HABIT OF AMERICAN GROUPS TO "BARGAIN COLLECTIVELY" WITH IT ON THIS ISSUE. MAJORITY OF AMERICANS ASSERT JUST AS STRONGLY THAT THEY ARE SOLELY EMPLOYEES OF

TELECONSULT. MATTER IS COMPLICATED BY ABSENCE SINCE EARLY 1976
OF ANY TELECONSULT-DESIGNATED LEADER AMONG AMERICANS, A CIR-
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CUMSTANCE STRENGTHENING OMANTEL'S VIEW OF THEIR STATUS. IT
IS POSSIBLE THAT BOTH SIDES ARE USING THIS TEMPEST IN A TEAPOT
AS OCCASION TO FIGHT OUT PRECISELY THIS ISSUE, I.E. WHETHER
AMERICANS ARE SUBJECT TO OMANTEL OR TELECONSULT INSTRUCTIONS.
BEYOND THIS, WE MAY BE WITNESSING OPENING ROUND IN WHAT BOTH
PARTIES RECOGNIZE AS EMERGING TOTAL SPLIT BETWEEN THEM.

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